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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

KOLETTE A. PAGE and CLETUS M.  
PAGE, individually and on behalf of their  
individual retirement accounts,

Plaintiffs,

v.

MINNESOTA LIFE INSURANCE  
COMPANY, a Minnesota corporation, et al.

Defendants.

Case No. 8:18-cv-01208-SSS-KESx

**ORDER OF DISMISSAL  
WITHOUT PREJUDICE FOR  
WANT OF SUBJECT MATTER  
JURISDICTION**

Action Filed: July 9, 2018

Trial Date: TBD

1 GOOD CAUSE THEREFORE HAVING BEEN SHOWN based upon the  
2 Stipulation by and between the parties in this action, and the filing of Plaintiffs' Third  
3 Amended Complaint, the Court no longer has subject matter jurisdiction under 28 U.S.C.  
4 §1331. There is also no complete diversity under 28 U.S.C. §1332 because parties on both  
5 side of the case reside in the State of California. Finding that subject matter jurisdiction  
6 does not exist under 28 U.S.C. §1131 or §1332, the Court declines to exercise supplemental  
7 jurisdiction over the state law claims and dismiss, without prejudice, this action. Pursuant  
8 to 28 U.S.C. §1367(d), the state law claims Plaintiffs previously asserted in their original  
9 Complaint are tolled for purposes of the statute of limitations as of the date of that filing,  
10 July 9, 2018, and Plaintiffs shall have thirty (30) calendar days to file in state court, if they  
11 so choose.

12  
13 IT IS SO ORDERED.

14  
15 DATED: August 8, 2022



17 HONORABLE SUNSHINE S. SYKES  
18 UNITED STATES DISTRICT JUDGE  
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